

NOTICE OF REMOVAL

2. Petitioner Michael Aksman (“Aksman”) initiated the State Court Action on September 8, 2020, with the filing of a Petition, Notice of Petition, Exhibits, a Request for Judicial Intervention, and Addendum (collectively, the “Initial Process and Pleadings”). *See* Initial Process and Pleadings, attached hereto as Exhibit A.

3. Greenwich was served with the Initial Process and Pleadings on September 17, 2020. This Notice of Removal is being filed within thirty (30) days of Greenwich's receipt of the Initial Process and Pleadings, and is therefore timely under 28 U.S.C. § 1446(b).

4. The amount in controversy exceeds seventy-five thousand dollars (\$75,000.00), exclusive of interest, costs, and attorneys' fees. *See* Ex. A to Petition at 32-34 (awarding Greenwich \$4,030,982.58).

5. Greenwich is a Delaware Limited Partnership with a principal place of business in Greenwich, Connecticut. Greenwich's sole partners are Gene Reilly and Greenwich Quantitative Research Management LLC.

- a. Gene Reilly is a limited partner of Greenwich. Gene Reilly is a natural person whose residence and domicile is Greenwich, Connecticut. Therefore, Gene Reilly is a citizen of the State of Connecticut.
- b. Greenwich Quantitative Research Management LLC is a general partner of Greenwich. Greenwich Quantitative Research Management LLC is a limited liability company organized under the laws of the State of Delaware. Greenwich Quantitative Research Management LLC's sole members are Gene Reilly and Loidis Capital LLC.
- c. Loidis Capital LLC is a limited liability company organized under the laws of the State of Delaware. The sole member of Loidis Capital LLC is Loidis Holdings Limited.
- d. Loidis Holdings Limited is a corporation organized under the laws of the British Virgin Islands with its principal place of business in Road Town, British Virgin

Islands. Therefore, Loidis Holdings Limited is a citizen of the British Virgin Islands.

6. The Petition alleges that Aksman's place of residence is North Plainfield, New Jersey, thereby making him domiciled in, and a citizen of, the State of New Jersey for diversity purposes. *See Diego Beekman Mut. Hous. Ass'n Hous. Dev. Fund Corp. Hdfc. v. Dish Network, L.L.C.*, No. 15 Civ. 1094, 2016 WL 1060328, at *7 (S.D.N.Y. Mar. 15, 2016) (“[A]n individual's residence at the time a lawsuit is commenced provides prima facie evidence of his domicile – which in turn determines citizenship.” (quoting *Willis v. Westin Hotel Co.*, 651 F. Supp. 598, 601 (S.D.N.Y. 1986))).

7. Therefore, the parties are completely diverse, and this matter is a civil action over which this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332 and which is removable to this Court under 28 U.S.C. § 1441.

8. Removal of this action is proper under 28 U.S.C. § 1446 because:

- a. This Notice of Removal is being filed within thirty (30) days of Greenwich's receipt (through service or otherwise) of the Initial Process and Pleadings;
- b. Greenwich has not previously sought similar relief; and
- c. A copy of all process, pleadings, and orders served upon Greenwich are attached as Exhibit A.

9. A true and correct copy of this Notice of Removal will be served upon all parties and the Supreme Court of the State of New York promptly after the filing of this Notice, in accordance with the certificate set forth below and with the requirements of law. The clerk of the aforesaid State Court shall effect the removal, and the State Court shall proceed no further unless the case is remanded, as provided by law.

10. Venue for removal of this action to this Court is proper, because the Southern District of New York is the district in which the case is pending.

11. Greenwich reserves the right to amend or supplement this Notice of Removal.

Respectfully submitted,

Dated: September 29, 2020

/s/ Serine Consolino

Paul C. Rauser

Serine Consolino

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Counsel for Greenwich Quantitative Research LP

CERTIFICATE OF SERVICE

I hereby certify that, on September 29, 2020, I caused the foregoing document to be sent by first-class United States mail, postage pre-paid, to counsel for Plaintiffs at the following address:

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/s Serine Consolino
Serine Consolino